

Supportive Housing Programs Application

Section 202 Housing for the Elderly
Section 811 Housing for Persons
With Disabilities



2001

U.S. Department of Housing and Urban Development
Mel Martinez, Secretary





U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, D.C. 20410-0001

February 26, 2001

THE SECRETARY

To Our Partners in Housing and Community Development:

I am pleased to issue the 2001 Super Notice of Funding Availability (SuperNOFA) for the Department of Housing and Urban Development's competitive grant programs. Housing and community revitalization are at the heart of HUD's mission, and President Bush and I are committed to make our mission a success.

HUD's 2001 SuperNOFA is a comprehensive list of about \$2.75 billion in program funds available from the Department. These funding opportunities cover a wide variety of grant programs: community and economic development; affordable housing for rental or ownership; supportive housing and services; and programs to help the homeless return to the mainstream of our society.

The SuperNOFA helps local communities and non-profit or faith-based groups identify HUD programs that can best meet their local needs, and use a comprehensive approach when they apply for funds. It can help you with a wide variety of local issues, including affordable housing for low-income persons; supportive housing and services for the elderly and persons with disabilities, including persons with HIV/AIDS; assistance for homeless persons and families, to help them move from emergency shelters to transitional and even permanent housing; economic development opportunities that also create jobs for lower-income persons; and programs to help low-income individuals and families become self-sufficient.

Many, many families and communities need the assistance that HUD - working in partnership with you - can provide.

- The number of families who live in sub-standard housing or pay 50 percent or more of their wages for monthly rent is far too high, but at the same time, the nation's inventory of affordable housing is shrinking;
- While over \$10 billion has been spent on homeless programs over the last ten years, too many Americans still live on the streets with no opportunity to share in or contribute to our great nation's bounty; and
- despite record high levels of homeownership, African American and Hispanic American homeownership rates remain below 50 percent. That is not acceptable.

I am committed to working with you to help those who need affordable housing to rent or buy, get homeless individuals and families the help they need, and revitalize the communities and neighborhood that have yet to benefit from the last ten years of economic growth. This SuperNOFA is one way to help us reach our common goal.

Sincerely,

A handwritten signature in cursive script, reading "Mel Martinez". The ink is dark and the signature is fluid, with a long, sweeping tail on the final "z".

Mel Martinez

SECTION 202

SUPPORTIVE HOUSING FOR THE ELDERLY

APPLICATION KIT

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## **SECTION 811**

### **SUPPORTIVE HOUSING FOR PERSONS WITH DISABILITIES**

#### **APPLICATION KIT**

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## APPLICATION KIT

### SECTION 202 OR SECTION 811

INTRODUCTION: This constitutes the Application Kit to apply for funding under the Section 202 Supportive Housing for the Elderly or the Section 811 Supportive Housing for Persons with Disabilities Capital Advance Program. **You MUST contact the local HUD Office to obtain information about the submission of applications relevant to that Office. (NOTE: A list of the local HUD Offices is attached as Appendix A for you to use in determining the appropriate HUD Office to which you should submit your application.)**

You must submit an original and four (4) copies of your application in response to a Federal Register Notice of Funding Availability (NOFA) **on or before 6:00 p.m. local time on May 25, 2001**, to the local HUD Office. Submit your application either by hand, delivery service or certified mail, as instructed in the General Section of the SuperNOFA. Applications by facsimile will not be accepted.

CONTENTS OF APPLICATION KIT: The Application Kit for a Section 202 or Section 811 Capital Advance consists of four parts with a total of seven Exhibits. Included with the seven Exhibits are prescribed forms, certifications and resolutions. The components of the Application Kit are:

- Part 1 - Application Form for Section 202 or Section 811 Supportive Housing - Capital Advance  
(Exhibit 1)
- Part 2 - Your Ability to Develop and Operate the Proposed Project  
(Exhibits 2 and 3)
- Part 3 - The Need for Supportive Housing for the Target Population in the Area to be Served, Site Control (and/or Identification of Site if 811) and Suitability of Site, Adequacy of the Provision of Supportive Services and of the Proposed Project  
(Exhibit 4)
- Part 4 - General Application Requirements, Certifications and Resolutions  
(Exhibits 5 through 7)

All of the required application exhibits are specifically identified in the applicable program NOFA.

GENERAL INSTRUCTIONS FOR PREPARING APPLICATION: The application must be submitted using the attached Application Kit format and **MUST BE INDEXED AND TABBED ACCORDINGLY.** The Kit includes:

1. The Table of Contents which serves as a checklist for you to identify the submission page for the exhibit/portion of the exhibit in the order in which the application is to be assembled.
2. The Rating Factors for rating your application and the criteria necessary to receive bonus points.
3. The Application Contents identified by the Part of the application and the relevant exhibits. Parts 2 and 3 include exhibits related to the rating criteria and bonus points. All required forms are included in the section pertaining to the specific exhibits. **(NOTE: Information relating to the Phase I Environmental Site Assessment, Exhibit 4(d)(vi) must be obtained from the local HUD Office.)**
4. Appendices
  - A. List of local HUD Offices
  - B. General Section of SuperNOFA (includes contact information on Empowerment Zones, Enterprise Communities, Urban Enhanced Enterprise Communities and Strategic Planning Communities in Appendix A-2)
  - C. Section 202 Program NOFA
  - D. Section 811 Program NOFA
  - E. Section 202 and Section 811 regulations
  - F. Choosing An Environmentally Safe Site
5. The Application Evaluation for you to provide HUD with comments and suggestions about the Application Kit.
6. The Acknowledgment of Application Receipt you will receive with the date that HUD received your application and whether or not your application will receive further consideration.

Before preparing your application, you should carefully review the requirements of the Regulations (24 CFR Part 891) and general program instructions in Handbook 4571.3 REV-1, Section 202 Capital Advance Program for Housing the Elderly or Handbook 4571.2, Section 811 Capital Advance Program for Housing Persons with Disabilities. Note: Section 1001 of Title 18 of the United States Code (Criminal Code and Criminal Procedure, 72 Stat. 967

shall apply to all information supplied in the application submission). (18 U.S.C. 1001, among other things, provides that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.)

## TABLE OF CONTENTS

|                                                                                                                                            | PAGE  |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>PART I - APPLICATION FORM FOR SECTION 202 OR SECTION 811<br/>SUPPORTIVE HOUSING - CAPITAL ADVANCE</b>                                   |       |
| <b>EXHIBIT 1:</b> <b>Form HUD-92015-CA, Application for<br/>Section 202 Supportive Housing<br/>Capital Advance, OR</b>                     | _____ |
| —                                                                                                                                          |       |
| <b>Form HUD-92016-CA, Application for<br/>Section 811 Supportive Housing<br/>Capital Advance</b>                                           | _____ |
| <b>PART II - YOUR ABILITY TO DEVELOP AND OPERATE<br/>THE PROPOSED PROJECT</b>                                                              |       |
| <b>EXHIBIT 2:</b> <b>Your Legal Status</b>                                                                                                 |       |
| (a)   Articles of Incorporation (or<br>other organizational documents)                                                                     | _____ |
| —                                                                                                                                          |       |
| (b)   By-laws                                                                                                                              | _____ |
| (c)   IRS Tax Exemption Ruling                                                                                                             | _____ |
| [EXCEPTION: SEE EXHIBIT TO DETERMINE IF YOU<br>MAY BE EXEMPT FROM SUBMITTING THESE<br>DOCUMENTS.]                                          |       |
| (d) <b>Section 811 Applicants Only</b> - the<br>number of people on your board and<br>the number of board members who have<br>disabilities | _____ |
| <b>EXHIBIT 3:</b> <b>Your purpose, community ties<br/>and experience:</b>                                                                  |       |
| (a)   Purpose(s), current activities,<br>how long you have been in existence                                                               | _____ |
| —                                                                                                                                          |       |
| (b)   Ties to the community at large<br>and to the target population                                                                       | _____ |
| (c)   Local government support for project                                                                                                 | _____ |



- (d) Letters of support for your organization and for the proposed project \_\_\_\_\_
- (e) Housing and/or supportive services experience \_\_\_\_\_
- (f) Efforts to involve target population \_\_\_\_\_
- (g) Identification/coordination with other organizations; information sharing on solutions/outcomes about project development \_\_\_\_\_
- (h) Involvement in the community's Consolidated Planning process including:
  - (i) Agency that organizes/administers the process \_\_\_\_\_
  - (ii) Consolidated Plan issue areas in which you participate \_\_\_\_\_
  - (iii) Level of your participation in the process \_\_\_\_\_

OR

Specific steps you will take to become active in the process \_\_\_\_\_

- (i) Linkages with other related activities, programs or projects \_\_\_\_\_

**PART III - THE NEED FOR SUPPORTIVE HOUSING FOR THE TARGET POPULATION IN THE AREA TO BE SERVED, SITE CONTROL (AND/OR IDENTIFICATION OF SITE IF 811) AND SUITABILITY OF SITE, ADEQUACY OF THE PROVISION OF SUPPORTIVE SERVICES AND OF THE PROPOSED PROJECT**

**EXHIBIT 4: Project information including:**

- (a) Evidence of need for project \_\_\_\_\_
- (b) How project will benefit target population and community \_\_\_\_\_

- (c) A narrative description of the project, including:
- (i) Building design \_\_\_\_\_
  - (ii) Whether and how project will promote energy efficiency \_\_\_\_\_
  - (iii) If, applicable, description of plans and actions to create a mixed-finance/mixed-use project \_\_\_\_\_
- (d) Evidence of site control and permissive zoning, **OR** identification of site if applying for Section 811 without having site control (in this latter case skip to **Identification of Site** below):

**Evidence of Site Control**

- (i) Site control document(s) \_\_\_\_\_
- (ii) Evidence site is free of limitations, restrictions, or reverters \_\_\_\_\_
- (iii) Evidence of permissive zoning or statement of proposed action required to make project permissible \_\_\_\_\_
- (iv) Narrative topographical/demographic description of site/area suitability, how site will promote greater housing opportunities for minorities/target population \_\_\_\_\_
- (v) Racial composition/concentration map of site \_\_\_\_\_
- (vi) Phase I Environmental Site Assessment \_\_\_\_\_
- (vii) Letter from State Historic Preservation Office (SHPO) \_\_\_\_\_

OR

If no response from SHPO:

- (A) Letter indicating no response from SHPO and why \_\_\_\_\_
- (B) Your letter to SHPO requesting required letter \_\_\_\_\_
- (C) SHPO's response, if available \_\_\_\_\_

**NOTE: (viii) through (xiv) apply to 811 Only**

- (viii) Willingness to seek an alternate site \_\_\_\_\_
- (ix) Request for exception to project size limits (if applicable) - why site was selected and: (ILP with site control only) \_\_\_\_\_
  - (A) Preference/acceptance of people with disabilities to live in proposed housing \_\_\_\_\_
  - (B) Increased number of people warranted by market conditions in area \_\_\_\_\_
  - (C) Compatibility of project with other residential development and population density of the area \_\_\_\_\_
  - (D) Increased number of people will not prohibit successful integration into the community \_\_\_\_\_
  - (E) Marketability of project in the community \_\_\_\_\_
  - (F) Project size consistent with State and/or local policies governing similar housing \_\_\_\_\_
  - (G) Willingness to have application processed at project size limit \_\_\_\_\_

**Identification of a Site (811 only):**

- (x) Location of site \_\_\_\_\_
  - (xi) Steps undertaken to identify site; what must be done to obtain site control \_\_\_\_\_
  - (xii) Whether site is properly zoned \_\_\_\_\_
  - (xiii) Status of the sale of the site \_\_\_\_\_
  - (xiv) Whether the site would involve relocation \_\_\_\_\_
- (e) Provision of supportive services:

**202**

- (i) Description of services \_\_\_\_\_
- (ii) Public/private funding sources for proposed services \_\_\_\_\_
- (iii) Manner in which services will be provided \_\_\_\_\_
- (iv) Description of how residents will be afforded opportunities for employment \_\_\_\_\_

**OR****811**

- (i) Description of occupancy \_\_\_\_\_
- (ii) Request for approval to limit occupancy, if applicable, including:
  - (A) Description of population to which occupancy will be limited \_\_\_\_\_
  - (B) Why it is necessary to limit occupancy, including:
    - How goals of 811 will still be achieved \_\_\_\_\_

- Why housing and services needs cannot be met in more integrated setting \_\_\_\_\_
- (C) Experience in providing housing and/or supportive services to proposed population \_\_\_\_\_
- (D) How you will ensure occupants will be integrated into neighborhood and community \_\_\_\_\_
- (iii) Supportive services needs of proposed population \_\_\_\_\_
- (iv) List of community service providers with letters of intent \_\_\_\_\_
- (v) Evidence of each service provider's capability and experience \_\_\_\_\_
- (vi) Extent of State and local agency involvement in project \_\_\_\_\_
- (vii) Letter indicating your commitment to make services available or coordinate their availability \_\_\_\_\_
- (viii) How residents will be afforded employment opportunities \_\_\_\_\_
- (ix) Whether project will include manager's unit \_\_\_\_\_
- (x) Statement that you will not condition occupancy on the resident's acceptance of supportive services \_\_\_\_\_

**PART IV - GENERAL APPLICATION REQUIREMENTS, CERTIFICATIONS AND RESOLUTIONS**

**EXHIBIT 5:** A list of applications, if any, you have submitted or are planning to submit to any other HUD Office in response to the Section 202 or Section 811 NOFA \_\_\_\_\_

**EXHIBIT 6: A statement that:**

- (a) Identifies all persons occupying property on application submission date \_\_\_\_\_
- (b) Indicates estimated cost of relocation payments/other services \_\_\_\_\_
- (c) Identifies staff organization that will carry out relocation activities \_\_\_\_\_
- (d) Identifies all persons who have moved from site within past 12 months \_\_\_\_\_

**EXHIBIT 7: CERTIFICATIONS AND RESOLUTIONS:**

- (a) Standard Form 424 \_\_\_\_\_
- (b) Drug-Free Workplace (HUD-50070) \_\_\_\_\_
- (c) Certification of Payments to Influence Federal Transactions (HUD-50071), and  
Disclosure of Lobbying Activities (Standard Form LLL), if applicable \_\_\_\_\_
- (d) Applicant/Recipient Disclosure/Update Report (HUD-2880) \_\_\_\_\_
- (e) Certification Regarding Debarment and Suspension (HUD-2992) \_\_\_\_\_
- (f) Executive Order 12372 Certification \_\_\_\_\_
- (g) Certification of Consistency with the Consolidated Plan (HUD-2991) \_\_\_\_\_
- (h) Sponsor's Conflict of Interest Resolution \_\_\_\_\_
- (i) Sponsor's Resolution for Commitment to Project \_\_\_\_\_
- (j) Certification of Consistency with the EZ/EC Strategic Plan (HUD-2990) \_\_\_\_\_
- (k) Sponsor's Combined Certifications \_\_\_\_\_

**Section 811 ONLY - Also submit the following:**

- (l) Supportive Services Certification \_\_\_\_\_
- (m) Certification of Compliance with the  
Requirements of Lead-Based Paint  
Poisoning Prevention Act \_\_\_\_\_
- (n) Certification for Single Room  
Occupancy in Group Homes (if applicable)\_\_\_\_\_

## **RATING FACTORS AND BONUS POINTS**

Below are the Rating Factors and Bonus Points and the corresponding application Exhibits that will be reviewed to determine the ratings and the eligibility for bonus points:

### **1. CAPACITY OF THE APPLICANT AND RELEVANT ORGANIZATIONAL STAFF** (Exhibit References: Exhibits 2, 3(a), 3(b), and 3(e))

In rating this factor, HUD will consider the extent to which the application demonstrates your ability to develop and operate the proposed housing on a long-term basis, considering the following: **(25 points)**

- (a) The scope, extent and quality of your experience in providing housing or related services to those proposed to be served by the project and the scope of the proposed project (i.e., number of units, services, relocation costs, development, and operation) in relationship to your demonstrated development and management capacity as well as your financial management capability. **(15 points for 202, 12 points for 811)**
- (b) The scope, extent and quality of your experience in providing housing or related services to minority persons or families. **(10 points for 202, 8 points for 811)**
- (c) You have experience in developing integrated housing (e.g., condominium units scattered within one or more buildings or non-contiguous independent living units on scattered sites). **(Section 811 only) (5 points)**

### **2. NEED/EXTENT OF THE PROBLEM**

(Exhibit References: Exhibits 4(a) and 4(b))

In determining the extent to which there is a need for funding the proposed supportive housing project to address a documented problem in the target area, HUD will consider the extent of the need for the project in the area based on a determination by the HUD Office. This determination will be made by considering your evidence of need in the area, as well as other economic, demographic, and housing market data available to the HUD Office. HUD will also view more favorably those applications which establish a connection between the proposed project and the Community's Analysis of Impediments to Fair Housing Choice (AI) or other planning document that analyzes fair housing issues and is prepared by a local planning or similar organization. **(15 points)**



### 3. **SOUNDNESS OF APPROACH**

(Exhibit References: Exhibits 2(d)(811 only), 4(c), 4(d), and 4(e))

In determining the quality and effectiveness of the project as well as the relationship between the project, the community's needs and purposes of the program funding, HUD will consider: **(40 points)**

#### Section 202

- (a) The proximity or accessibility of the site to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment, and other necessary services to the intended tenants, adequacy of utilities and streets, freedom of the site from adverse environmental conditions, and compliance with site and neighborhood standards. **(15 points)**
- (b) The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minority elderly persons/families and affirmatively furthering fair housing. **(10 points)**
- (c) The extent to which the proposed design will meet the special physical needs of elderly persons the housing is expected to serve. **(3 points)**
- (d) The extent to which the proposed size and unit mix of the housing will enable you to manage and operate the housing efficiently and ensure that the provision of supportive services will be accomplished in an economical fashion. **(3 points)**
- (e) The extent to which the proposed design of the housing will accommodate the provision of supportive services that are expected to be needed, initially and over the useful life of the housing, by the category or categories of elderly persons the housing is intended to serve. **(3 points)**
- (f) The extent to which the proposed supportive services meet the identified needs of the anticipated residents. **(3 points)**
- (g) The extent to which you demonstrated that the identified supportive services will be provided on a consistent, long-term basis. **(3 points)**

## Section 811

- (a)(i) Site approvability - The proximity or accessibility of the site to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment, and other necessary services to the intended tenants; adequacy of utilities and streets, and freedom of the site from adverse environmental conditions (based on site visit for site control projects only); and compliance with site and neighborhood standards in 24 CFR 891.125.  
**(7 points)**
- (ii) Integrated Housing - Your proposed project will be integrated housing (e.g., condominium units scattered within one or more buildings or non-contiguous independent living units on scattered sites).  
**(5 or 0 points)**
- (iii) Site control - If your application contains legally acceptable site control for all proposed sites and all of the proposed sites are approvable (i.e., receive a score of 1 or higher on Criterion (a)(1) above), your application will receive 5 points for site control. **(5 or 0 points)**
- (b) The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minority persons with disabilities and affirmatively furthering fair housing. **(8 points)**
- (c) The extent to which the proposed design will meet the individual needs of persons with disabilities the housing is expected to serve. **(5 points)**
- (d) The extent to which the proposed design of the project and its placement in the neighborhood will facilitate the integration of the residents into the surrounding community and promote the ability of the residents to live as independently as possible in the community.  
**(5 points)**
- (e) Fifty-one percent of your board is comprised of persons with disabilities.  
**(5 points)**

#### **4. LEVERAGING RESOURCES**

(Exhibit References: Exhibits 3(a), 3(b), 3(c) and 3(d))

In determining your ability to secure other community resources which can be combined with HUD's program resources to achieve program purposes, HUD will consider: **(10 points)**

- (a) The extent of local government support (including financial assistance, donation of land, provision of services, etc.) for the project. **(5 points)**
- (b) The extent of your activities in the community, including previous experience in serving the area where the project is to be located, and your demonstrated ability to enlist volunteers and raise local funds. **(5 points)**

**5. COMPREHENSIVENESS AND COORDINATION**

(Exhibit References: Exhibits 3(f), 3(g), 3(h) and 3(i))

In determining the extent to which you coordinated your activities with other known organizations, participated or promoted participation in the community's Consolidated Planning process, and are working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community, HUD will consider:  
**(10 points)**

- (a) Your involvement of elderly persons, particularly minority elderly persons (Section 202) persons with disabilities (including minority persons with disabilities) (Section 811), in the development of the application, and your intent to involve elderly persons, particularly minority elderly persons (Section 202) persons with disabilities (including minority persons with disabilities)(Section 811), in the development and operation of the project. **(4 points)**
- (b) The extent to which you coordinated your application with other organizations to complement and/or support the proposed project. **(2 points)**
- (c) The extent to which you demonstrate that you have been actively involved or, if not currently active, the steps you will take to become actively involved in the community's Consolidated Planning process to identify and address a need/problem that is related in whole or part, directly or indirectly, to the proposed project. **(2 points)**
- (d) The extent to which you developed or plan to develop linkages with other activities, programs (e.g., the Mainstream Housing Opportunities for Persons with Disabilities Program if applying for Section 811) or projects related to the proposed project to coordinate your activities so solutions are holistic and comprehensive. **(2 points)**

**BONUS POINTS**

(Exhibit References: Exhibits 1 and 7(j))

Location of proposed site in a high performing Federally designated EZ/EC community that will serve residents of the EZ/EC and is consistent with the strategic plan of the EZ/EC.

**(2 bonus points)**

**PART I**

**APPLICATION FOR SECTION 202 SUPPORTIVE  
HOUSING - CAPITAL ADVANCE  
(FORM HUD-92015-CA)**

**OR**

**APPLICATION FOR SECTION 811 SUPPORTIVE  
HOUSING - CAPITAL ADVANCE  
(FORM HUD-92016-CA)**

**EXHIBIT 1 - Form HUD-92015-CA, Application for Section 202  
Supportive Housing Capital Advance**

**OR**

**Form HUD-92016-CA, Application for Section 811  
Supportive Housing Capital Advance**

(Both forms are available under "Forms" on the  
same website from which this Application Kit was  
obtained)

## **PART II**

**YOUR ABILITY TO DEVELOP AND  
OPERATE THE PROPOSED PROJECT**

**EXHIBIT 2 - Evidence of your legal status** (Private Nonprofit or Nonprofit Consumer Cooperative if applying for Section 202 or Nonprofit with 501(c)(3) IRS tax exemption if applying for Section 811)(If another organization(s) is co-sponsoring the application with you, each Co-Sponsor must also submit the following):

- (a) Articles of Incorporation, constitution, or other organizational documents
- (b) By-laws
- (c) IRS tax exemption ruling (this must be submitted by all Sponsors, including churches)

**[EXCEPTION: IF YOU RECEIVED A SECTION 202 (IF APPLYING FOR SECTION 202) OR SECTION 811 (IF APPLYING FOR SECTION 811) FUND RESERVATION WITHIN THE LAST THREE FUNDING CYCLES, YOU ARE NOT REQUIRED TO SUBMIT THE DOCUMENTS DESCRIBED IN (a), (b), and (c) ABOVE. INSTEAD, SUBMIT THE PROJECT NUMBER OF THE LATEST APPLICATION AND THE HUD OFFICE TO WHICH IT WAS SUBMITTED. IF THERE HAVE BEEN ANY MODIFICATIONS OR ADDITIONS TO THE SUBJECT DOCUMENTS, INDICATE SUCH, AND SUBMIT THE NEW MATERIAL.]**

- (d) **Section 811 Applicants Only** - The number of people on your board and the number of board members who have disabilities



**EXHIBIT 3 - Your purpose, community ties and experience:**

- (a) A description of your purpose(s), current activities, and how long you have been in existence.
- (b) A description of your ties to the community at large and to the minority and elderly (202) or disabled (811) communities in particular.
- (c) A description of local government support for the project (including financial assistance, donation of land, provision of services, etc.).
- (d) Letters of support for your organization and for the proposed project from organizations familiar with the housing and supportive services needs of the target population (elderly (202) or persons with disabilities (811)) that you expect to serve in the proposed project.
- (e) A description of your housing and/or supportive services experience. The description should include any rental housing projects (including any integrated housing developments if applying for Section 811) and/or supportive services facilities that you sponsored, own and/or operate, your past or current involvement in any programs other than housing that demonstrates your management capabilities (including financial management) and experience, your experience in serving the target population (the elderly, including elderly persons with disabilities, and/or families and minorities (202), or persons with disabilities and minorities (811)); and the reasons for receiving any increases in fund reservations for developing and operating previously funded Section 202 or Section 811 projects.

The description should include data on the facilities and services provided, the racial/ethnic composition of the populations served, if available, and information and testimonials from residents or community leaders on the quality of the activities. Examples of activities that could be described include housing counseling, nutrition and food services, special housing

**(EXHIBIT 3 Cont'd)**

referral, screening and information projects.

- (f) A description of your efforts to involve members of the target population (elderly persons, including minority elderly persons (202), or person with disabilities including minority persons with disabilities and persons with disabilities similar to those of the prospective residents(811)) in the development of the application as well as your intent to involve the target population in the development and operation of the project.
- (g) A description of the steps you took to identify and coordinate your application with other organizations to complement and/or support the proposed project as well as the steps you will take, if funded, to share information on solutions and outcomes relative to the development of the proposed project.
- (h) A description of your involvement in the community's Consolidated Planning process including:
  - (i) An identification of the lead/facilitating agency that organizes/administers the process;
  - (ii) An identification of the Consolidated Plan issue areas in which you participate; and
  - (iii) Your level of participation in the process, including active involvement with any neighborhood-based organizations, associations or any committees that support programs and activities that enhance projects or the lives of residents of the projects, such as the one proposed in your application.

**OR**

- (i) If you are not currently active, describe the specific steps you will take to become active in the Consolidated Planning process (Consult the local HUD Office for the

**(EXHIBIT 3 Cont'd)**

identification of the Consolidated Plan community process for the appropriate area).

- (i) A description of the linkages that you have developed or plan to develop with other related activities, programs (e.g., the Mainstream Housing Opportunities for Persons with Disabilities Program if applying for Section 811) or projects in order that the development of the project provides a comprehensive and holistic solution to the needs of the target population (elderly (202) or persons with disabilities (811)).

### **PART III**

**THE NEED FOR SUPPORTIVE HOUSING FOR THE  
TARGET POPULATION, SITE  
CONTROL (AND/OR IDENTIFICATION OF SITE IF  
811) AND SUITABILITY OF SITE**

**ADEQUACY OF THE PROVISION OF SUPPORTIVE  
SERVICES AND OF THE PROPOSED PROJECT**

## **EXHIBIT 4 - Need and Project Information**

- (a) Evidence of need for supportive housing.

**202**

Include a description of the category or categories of elderly persons the housing is intended to serve and evidence demonstrating sustained effective demand for supportive housing for that population in the market area to be served, taking into consideration the occupancy and vacancy conditions in existing Federally assisted housing for the elderly (HUD and the Rural Housing Service (RHS)) e.g., public housing), State or local data on the limitations in activities of daily living among the elderly in the area; aging in place in existing assisted rentals; trends in demographic changes in elderly population and households; the numbers of income eligible elderly households by size, tenure and housing condition; the types of supportive services arrangements currently available in the area; and the use of such services as evidenced by data from local social service agencies or agencies on aging. Also, a description of how information in the community's Analysis of Impediments to Fair Housing Choice was used in documenting the need for the project.

**811**

Include a description of the proposed population and evidence demonstrating sustained effective demand for supportive housing for the proposed population in the market area to be served, taking into consideration the occupancy and vacancy conditions in existing comparable subsidized housing for persons with disabilities, State or local needs assessments of persons with disabilities in the area, the types of supportive services arrangements currently available in the area, and the use of such services as evidenced by data from local social service agencies. Also, a description of how information in the community's Analysis of Impediments to Fair Housing Choice was used in documenting the need for the project.

**(EXHIBIT 4 Cont'd)**

(b) A description of how the proposed project will benefit the target population and the community in which it will be located.

(c) Description of the project.

(i) **202**

Narrative description of the building design including a description of the number of units with bedroom distribution, any special design features, amenities, and/or community space, and how this design will facilitate the delivery of services in an economical fashion and accommodate the changing needs of the residents over the next 10-20 years.

**811**

Narrative description of the building(s) including the number and type of structure(s), number of units with bedroom distribution if independent living units (including dwelling units in multifamily housing developments, condominiums and cooperatives), number of bedrooms if group home, number of residents with disabilities, and any resident manager per structure; identification of all community spaces, amenities or features planned for the housing and a description of how the spaces, amenities, or features will be used, and the extent to which they are necessary to accommodate the needs of the proposed residents. A description of how the design of the proposed project will facilitate the integration of the residents into the surrounding community and promote the ability of the residents to live as independently as possible.

**NOTE: (202 and 811)** If the community spaces, amenities, or features do not comply with the project design and cost standards of 24 CFR 891.120 and the special project standards of 24 CFR

**(EXHIBIT 4 Cont'd)**

891.210 (202) or 891.310 (811), you must demonstrate your ability and willingness to contribute both the incremental development cost and continuing operating cost associated with the community spaces, amenities, or features;

(ii) Describe whether and how the project will promote energy efficiency and, if applicable, innovative construction or rehabilitation methods or technologies to be used that will promote efficient construction.

(iii) If applicable, a description of any plans and the actions you have taken to create a mixed-finance/mixed-use project by developing additional units (i.e., in addition to the Section 202 or Section 811 units, whichever is applicable) with the use of Section 202 or Section 811 capital advance funds, whichever is applicable, in combination with other funding sources. Provide copies of any letters you have sent seeking outside funding for the non-Section 202 or non-Section 811 units and any responses thereto. You must also demonstrate your ability to proceed with the development of a Section 202 or Section 811 project that will not involve mixed-financing or a mixed-use purpose, as proposed in your application, in the event you are later unable to obtain the necessary outside funding or HUD disapproves your proposal for a mixed financing or a mixed use project.

**NOTES:** 1) Approval of the Section 202 or Section 811 capital advance will not necessarily be approval of the mixed-finance/mixed-use proposal. If approved for a reservation of capital advance funds, you will be required to submit, after reservation of capital advance funds, a detailed proposal outlining how you will fund both development and operation of the additional units in accordance with HUD instructions that will be issued later. Based on the

(EXHIBIT 4 Cont'd)

strength of your organization and HUD's prior experience with your projects, as well as your outline of your intentions, at the time of making the fund reservation, HUD will determine whether you will be permitted to submit a mixed-finance/mixed-use proposal at a later time. Only those Sponsors that indicate in their application for a fund reservation an intention to propose additional units will be eligible to submit, at a later time, a mixed-finance/mixed-use proposal for additional units. (A mixed-finance/mixed-use project does not include the development of Section 202 or Section 811 units using secondary/supplementary financing or the development of a mixed-use project in which the Section 202 or Section 811 units are mortgaged separately from the other uses of the structure). 2) For a Section 811 mixed use/mixed financing project, the additional units cannot cause the project to exceed the project size limit for the type of project proposed, unless HUD approves an exception to the project size limit, or the additional units will house people who do not have a disability.

- (d) Evidence of site control and permissive zoning.

**NOTE:** If you are applying for Section 811 without control of any or all of your proposed sites, you must provide the information under **Identification of a Site** below for any site you are submitting without evidence of control of that site.

- (i) Acceptable evidence of site control is limited to any one of the following:

(A) Deed or long-term leasehold which evidences that you have title to or a leasehold interest in the site. If a leasehold, the term of the lease must be at least 50



**(EXHIBIT 4 Cont'd)**

years;

- (B) Contract of sale for the site which is free of any limitations affecting ability to deliver ownership to you after you receive and accept a notice of Section 202 or Section 811 capital advance. (The only condition for closing on the sale can be your receipt and acceptance of the capital advance.) The contract of sale cannot require closing earlier than the Section 202 or Section 811 closing (whichever is applicable);
- (C) Option to purchase or for a long-term leasehold which must remain in effect for six months from the date on which the applications are due, must state a firm price binding on the seller, and be renewable at the end of the six month option period. The only condition on which the option may be terminated is if you are not awarded a fund reservation;
- (D) If the site is covered by a mortgage under a HUD program, (e.g., a previously funded Section 202 or Section 811 project or an FHA-insured mortgage) you must submit evidence that consent to release of the site from the mortgage has been obtained or is being requested from HUD and from the mortgagee, if other than HUD; or
- (E) For sites to be acquired from a public body, evidence is needed that the public body possesses clear title to the site and has entered into a legally binding agreement to lease or convey the site to you after you receive and accept a notice of Section 202

(EXHIBIT 4 Cont'd)

or Section 811 capital advance. Where HUD determines that time constraints of the funding round will not permit you to obtain all of the required official actions (e.g., approval of Community Planning Boards) that are necessary to convey publicly-owned sites, you may include in your application a letter from the mayor or director of the appropriate local agency indicating that conveyance or leasing of the site is acceptable without imposition of additional covenants or restrictions, and only contingent on the necessary approval action. Such a letter commitment will be considered sufficient evidence of site control.

**NOTE:** For this funding cycle, New York City-owned sites that are designated as community gardens will not meet site control requirements due to litigation involving those sites.

- (ii) Whether you have title to the site, a contract of sale, an option to purchase, or are acquiring a site from a public body, you must provide evidence (a title policy or other acceptable evidence) that the site is free of any limitations, restrictions, or reversioners which could adversely affect the use of the site for the proposed project for the 40-year capital advance period under HUD's regulations and requirements (e.g., reversion to seller if title is transferred). If the title evidence contains restrictions or covenants, copies of the restrictions or covenants must be submitted with the application. If the site is subject to any such limitations, restrictions, or reversioners, the application will be rejected if it's a 202 or the site will be rejected if it's an 811. Purchase money mortgages that will be satisfied from capital advance funds are not considered to be limitations or restrictions that would

**(EXHIBIT 4 Cont'd)**

adversely affect the use of the site. If the contract of sale or option agreement contains provisions that allow a Sponsor not to purchase the property for reasons such as environmental problems, failure of the site to pass inspection, or the appraisal is less than the purchase price, then such provisions are not objectionable and a Sponsor is allowed to terminate the contract of sale or the option agreement.

**NOTE:** A proposed project site may not be acquired or optioned from a general contractor (or its affiliate) that will construct the Section 202 or Section 811 project or from any other development team member.

- (iii) Evidence that the project as proposed is permissible under applicable zoning ordinances or regulations or a statement of the proposed action required to make the proposed project permissible and the basis for the belief that the proposed action will be completed successfully before the submission of the firm commitment application.

**NOTE:** If applying for Section 811, you should be aware that under certain circumstances the Fair Housing Act requires localities to make reasonable accommodations to their zoning ordinances or regulations to offer persons with disabilities an opportunity to live in an area of their choice. If you are relying upon a theory of reasonable accommodation to satisfy the zoning requirement, then you must clearly articulate the basis for your reasonable accommodation theory.

- (iv) Narrative topographical and demographic description of the suitability of the site and area (as well as a description of the characteristics of the neighborhood (811 only)), how the site will promote greater housing opportunities for minority elderly and

(EXHIBIT 4 Cont'd)

elderly persons with disabilities (202) or minority persons with disabilities (811), thereby affirmatively furthering fair housing.

**NOTE:** You can best demonstrate your commitment to affirmatively furthering fair housing by describing how your proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice, which is a component of the jurisdiction's Consolidated Plan or any other planning document that addresses fair housing issues. The applicable Consolidated Plan and AI may be the Community's, the County's, or the State's, to which input should have been provided by local community organizations, agencies in the community and residents of the community. Alternatively, a document that addresses fair housing issues and remedies to barriers to fair housing in the community that was previously prepared by a local planning, or similar organization, may be used. For **Section 202**, applicable impediments could include the need for improved housing quality and services for elderly minority families, lack of affirmative marketing and outreach to minority elderly persons, and the need for quality eldercare services within areas of minority concentration when compared with the type and quality of similar services and housing in nonminority areas. For **Section 811**, applicable impediments could include a lack of units that are accessible to persons with disabilities, a lack of transportation services or other assistance that would serve persons with disabilities, or the need for improved quality and services for all persons with disabilities.

- (v) A map showing the location of the site and the racial composition of the

**(EXHIBIT 4 Cont'd)**

neighborhood, with the area of racial concentration delineated.

- (vi) A Phase I Environmental Site Assessment (ESA), in accordance with the American Society for Testing and Material (ASTM) Standards E 1527-97, as amended, must be completed and submitted with the application. In order for the Phase I ESA to be acceptable, it must have been completed or updated no earlier than six months prior to the application deadline date. **For the Section 811 program only, it is NOT a curable deficiency.**

Therefore, it is important to start the site assessment process as soon after the publication of the NOFA as possible. If the Phase I ESA indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same Phase I ESA process identified above must be followed for the new site. If the property is to be acquired from the FDIC/RTC (although you are not limited to acquiring properties from the FDIC/RTC), include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I ESA and applicable documentation, per the FDIC/RTC Environmental Guidelines. If you choose to continue with the original site on which the Phase I ESA indicated contamination or hazards, you must undertake a detailed Phase II ESA by an appropriate professional.

If the Phase II Assessment reveals site contamination, you must submit the extent of the contamination and a plan for clean-up of the site including a contract for remediation of the problem(s) and an approval letter from the applicable Federal, State and/or local agency with jurisdiction over the site to the local HUD Office. The Phase II and any necessary plan for clean-up does not have to be submitted with the application but must be submitted to the local HUD office by **June 25, 2001**. If

**(EXHIBIT 4 Cont'd)**

it is not submitted by that date, the application will be rejected if it is a 202 application and the site will be rejected if it is an 811 application.

**NOTE:** You must pay for the cost of any clean-up or remediation which can be very expensive.

(vii) A letter from the State Historic Preservation Officer (SHPO) indicating whether the proposed site(s) has any historical significance. If you cannot obtain a letter from the SHPO due to the SHPO not responding to your request or the SHPO responding that it cannot or will not comply with the requirement, you must submit the following:

(A) a letter indicating that you attempted to get the required letter from the SHPO but that the SHPO either had not responded to your request or would not honor or recognize your request;

(B) a copy of your letter to the SHPO requesting the required letter; and

(C) a copy of the SHPO's response, if available.

**(viii) through (xiv) apply to Section 811 only**

(viii) A statement that you are willing to seek a different site if the preferred site is unapprovable and that site control will be obtained within six months of notification of fund reservation.

**(Section 811 only)**

(ix) If an exception to the project size limits is being requested, describe why the site was selected and demonstrate the following: **(Only for Section 811 applications for independent living projects [not group homes] with site control)**

**(EXHIBIT 4 Cont'd)**

- (A) People with disabilities have indicated their acceptance or preference to live in housing with as many units/ people as proposed for the project.
- (B) The increased number of units/people is warranted by the market conditions in the area in which the project will be located.
- (C) Your project is compatible with other residential development and the population density of the area in which the project is to be located.
- (D) The increased number of people will not prohibit their successful integration into the community.
- (E) The project is marketable in the community.
- (F) The size of the project is consistent with State and/or local policies governing similar housing for the proposed population.
- (G) A statement that you are willing to have your application processed at the project size limit should HUD not approve the exception.

**Identification of a Site**

If you have identified a site, but do not have it under control, you must submit the following information: **(Section 811 only)**

**NOTE:** If a Section 811 application is submitted without evidence of site control and does not provide a specific street address for the identified site(s) (e.g., only an indication that the project will be developed in a particular part of town but a site(s) has not been chosen) the application will be rejected.

**(EXHIBIT 4 Cont'd)**

- (x) A description of the location of the site, including its street address, its unit number (if condominium), neighborhood/community characteristics (to include racial and ethnic data), amenities, adjacent housing and/or facilities, how the site will promote greater housing opportunities for minority persons with disabilities and affirmatively further fair housing.

You can best demonstrate your commitment to affirmatively furthering fair housing by describing how your proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the community's AI or any other planning document that addresses fair housing issues. Examples of the applicable impediments include the need for improved housing quality and services for minority persons with disabilities and the need for quality services for persons with disabilities within the type and quality of similar services and housing in minority areas.

- (xi) A description of the activities undertaken to identify the site, as well as what actions must be taken to obtain control of the site, if approved for funding.
- (xii) An indication as to whether the site is properly zoned. If it is not, an indication of the actions necessary for proper zoning and whether these can be accomplished within six months of fund reservation award, if approved for funding.
- (xiii) A status of the sale of the site.
- (xiv) An indication as to whether the site would involve relocation.



**(EXHIBIT 4 Cont'd)**

(e) **202** Provision of supportive services in the proposed facility.

- (i) A detailed description of the supportive services proposed to be provided to the anticipated occupancy.
- (ii) A description of public or private sources of assistance that reasonably could be expected to fund the proposed services.
- (iii) The manner in which such services will be provided to such persons (i.e., on or off-site), including whether a service coordinator will facilitate the adequate provision of such services, and how the services will meet the identified needs of the residents.
- (iv) A description of how the residents will be afforded opportunities for employment.

**NOTE:** You may not require residents, as a condition of occupancy, to accept any supportive services.

**811** A supportive services plan that includes:

**NOTE:** Your supportive services plan and the supportive services certification (Exhibit 7(1)) must be sent to the appropriate State or local agency (identified by the HUD Office) far enough in advance of the application deadline date so that the agency can review the plan, complete the certification and return both to you for inclusion in your application to HUD.

- (i) A detailed description of whether the housing is expected to serve persons with physical disabilities, developmental disabilities, or chronic mental illness or any combination of the three. Include how and from whom/where persons will be referred and admitted for occupancy in the project. You may, with the approval of the Secretary,

(EXHIBIT 4 Cont'd)

limit occupancy within housing developed under this SuperNOFA to persons with disabilities who have similar disabilities and require a similar set of supportive services in a supportive housing environment. However, the Owner must permit occupancy by any qualified person with a disability who could benefit from the housing and/or services provided, regardless of the person's disability.

- (ii) If requesting approval to limit occupancy, also submit the following:
  - (A) A description of the population of persons with disabilities to which occupancy will be limited.
  - (B) An explanation of why it is necessary to limit occupancy of the proposed project(s) to the population described in (1) above, including the following:
    - An explanation of how limiting occupancy to a subcategory of persons with disabilities promotes the goals of the Section 811 program.
    - An explanation of why the housing and/or service needs of this population cannot be met in a more integrated setting.
  - (C) A description of your experience in providing housing and/or supportive services to proposed occupants.
  - (D) A description of how you will ensure that occupants of the proposed project will be integrated into the neighborhood and community.
- (iii) A detailed description of the supportive service needs of the persons with disabilities that the housing is expected to serve.

**(EXHIBIT 4 Cont'd)**

- (iv) A list of community service providers, (including consumer-controlled providers), including letters of intent to provide services to proposed residents from as many potential providers as possible.
- (v) The evidence of each service provider's capability and experience in providing such supportive service (even if you will be the service provider).
- (vi) Identification of the extent of State and/or local agency involvement in the project (i.e., funding for the provision of supportive services, referral of residents, or licensing the project). If there will be any State or local agency involvement, a description of the State/local agency's philosophy/policy concerning housing for the population to be served and a demonstration that your application is consistent with State and/or local agency plans and policies governing the development and operation of housing for persons with disabilities.
- (vii) If you will be making any supportive services available to the residents or will be coordinating the availability of any supportive services, a letter providing:
  - (A) A description of the supportive services that you will make available to the residents or, if you will be coordinating the availability of any supportive services, a description of the supportive service(s) and how the coordination will be implemented;
  - (B) An assurance that any supportive services that you will make available to the residents will be based on their individual needs;

(EXHIBIT 4 Cont'd)

and

- (C) A commitment to make the supportive services available or coordinate their availability for the life of the project.
- (viii) A description of how the residents will be afforded opportunities for employment.
- (ix) An indication as to whether the project will include a unit for a resident manager.
- (x) A statement that you will not condition occupancy on the resident's acceptance of any supportive services.

## **PART IV**

### **GENERAL APPLICATION REQUIREMENTS, CERTIFICATIONS AND RESOLUTIONS**

**EXHIBIT 5:** A list of the applications, if any, you have submitted or are planning to submit to any other HUD Office in response to the Section 202 or Section 811 NOFA. Indicate by HUD Office, the proposed location by city and State and the number of units requested for each application. Include a list of all FY 2000 and prior year projects to which you are a party, identified by project number and HUD Office, which have not been finally closed.

**EXHIBIT 6: A statement that: (not applicable to Section 811 applications without site control)**

- (a) identifies all persons (families, individuals, businesses and nonprofit organizations) by race/minority group, and status as owners or tenants occupying the property on the date of submission of the application for a capital advance.
- (b) indicates the estimated cost of relocation payments and other services.
- (c) identifies the staff organization that will carry out the relocation activities.
- (d) identifies all persons that have moved from the site within the past 12 months.

**[NOTE: IF ANY OF THE RELOCATION COSTS WILL BE FUNDED FROM SOURCES OTHER THAN THE SECTION 202 OR SECTION 811 CAPITAL ADVANCE, YOU MUST PROVIDE EVIDENCE OF A FIRM COMMITMENT OF THESE FUNDS. WHEN EVALUATING APPLICATIONS, HUD WILL CONSIDER THE TOTAL COST OF PROPOSALS (i.e., COST OF SITE ACQUISITION, RELOCATION, CONSTRUCTION AND OTHER PROJECT COSTS).]**

**EXHIBIT 7:     Certifications and Resolutions     (attached)**

- (a)   Standard Form 424
- (b)   Drug-Free Workplace (HUD-50070)
- (c)   Certification of Payments to Influence Federal Transactions (HUD-50071) and Standard Form LLL, Disclosure of Lobbying Activities (24 CFR 87).  If you have made or agreed to make any payment using funds other than Federal appropriated funds for lobbying activity, as described in 24 CFR 87, your submission must also include SF-LLL, Disclosure of Lobbying Activities.
- (d)   Applicant/Recipient Disclosure/Update Report, including Social Security and Employee Identification Numbers, (HUD-2880)
- (e)   Certification Regarding Debarment and Suspension, (24 CFR 24.510) (HUD-2992)
- (f)   Executive Order 12372 - A certification that you have submitted a copy of your application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.
- (g)   Certification of Consistency with the Consolidated Plan (Plan), (HUD-2991)
- (h)   Sponsor's Conflict of Interest Resolution
- (i)   Sponsor's Resolution for Commitment to Project
- (j)   Certification of Consistency with the EZ/EC Strategic Plan, (HUD-2990)
- (k)   Sponsor's Combined Certifications

**The Certifications below are requirements for Section 811 applications only:**

- (l)   Supportive Services Certification
- (m)   Certification of Compliance with the Requirements of Lead-Based Paint Poisoning Prevention Act
- (n)   Certification for Single Room Occupancy in Group Homes



## **EXHIBIT 7(a)**

### **Standard Form 424**

(Available under "Forms" on the same website from which this application kit was obtained)

## **EXHIBIT 7(b)**

### **Drug-Free Workplace (HUD-50070)**

(Available under "Forms" on the same website from which this application kit was obtained)

## **EXHIBIT 7(c)**

**Certification of Payments to Influence Federal Transactions (HUD-50071)**

**Disclosure of Lobbying Activities (Standard Form-LLL)**

(Both forms are available under "Forms" on the same website from which this application kit was obtained)

## **EXHIBIT 7(d)**

**Applicant/Recipient Disclosure/Update Report, including Social Security Numbers and Employee Identification Numbers, (HUD-2880)**

(Available under "Forms" on the same website from which this application kit was obtained)

## **EXHIBIT 7(e)**

**Certification Regarding Debarment and Suspension (HUD-2992)**  
**(24 CFR 24.510)**

(Available under "Forms" on the same website from which this application kit was obtained)

# EXECUTIVE ORDER 12372 CERTIFICATION

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(Name of Sponsor)

certifies that:

- \_\_\_\_\_ (1) this application for a capital advance under the Section 202 or Section 811 program was submitted to the State of \_\_\_\_\_ on \_\_\_\_\_ for review,
- or
- \_\_\_\_\_ (2) it contacted the State and a determination was made that the State review was not required.

Enclosed is a copy of the SF-424 which was sent with the application submitted to the State.

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(Signature of Authorized Official)

## **EXHIBIT 7(g)**

**HUD-2991, Certification of Consistency with the Consolidated Plan  
(Plan)**

(Available under "Forms" on the same website from which this  
application kit was obtained)

# **SPONSOR'S CONFLICT OF INTEREST RESOLUTION**

TO: The Secretary of Housing and Urban Development

SUBJECT: Section 202 Program - Application for Fund Reservation  
Section 811 Program - Application for Fund Reservation

Sponsor:  
Project Location:

WHEREAS, Section 202 of the Housing Act of 1959, as amended, authorizes the making of capital advances for housing for the elderly to private, nonprofit corporations, OR Section 811 of the National Affordable Housing Act of 1990, as amended, authorizes the making of capital advances to nonprofit corporations for housing for persons with disabilities, no part of the net earnings of which inure to the benefit of any member, founder, contributor or individual;

WHEREAS, HUD has implemented this statutory requirement by promulgating a regulation providing that the Sponsor may not be controlled by or under the direction of persons or firms seeking to derive profit or gain therefrom. The regulation also prohibits any officer or director of the Sponsor from having any financial interest in any contract in connection with the rendition of services, the provision of goods or supplies, procurement of furnishings or equipment, construction of the project, procurement of the site or any other matters whatsoever, except with respect to management or supportive services contracts entered into by the Owner with the Sponsor or its nonprofit affiliate.

WHEREAS, HUD has determined that assurance of compliance with this prohibition can best be obtained by requiring that all officers and directors of the Sponsor certify that they do not have and will not have during their term of office, any prohibited financial interest.

WHEREAS, because of the time constraints imposed under the application process and difficulties in meeting these deadlines caused by such factors as large boards and unavailability of officers and directors of the board, some prospective Sponsors have been unable or experienced hardship in obtaining all of the required certifications for submission with the applications for fund reservation.

WHEREAS, HUD is willing to defer submission of the required Sponsors' Conflict of Interest and Disclosure Certifications until the submission of the firm commitment applications by those



Owners for which fund reservations were approved, if such certifications are provided by all the Sponsor's officers and directors listed below, who are duly qualified and sitting in these capacities from the date of the Sponsor's fund reservation application.

**[LIST THE NAME, TITLE, AND THE BEGINNING AND ENDING DATES OF THE TERM OF ALL OFFICERS AND DIRECTORS]**

NOW, THEREFORE, in order to induce HUD to forego requiring submission of the Conflict of Interest and Disclosure Certifications until after projects have been selected and fund reservations granted, it is hereby resolved and agreed by the Board of Directors of the Sponsor:

1. That it will submit an updated Incumbency Certificate, in a form prescribed by HUD, showing all changes in incumbency for submission with the Owner's Application for Firm Commitment, initial closing and final closing.

2. That no officer or director of the Sponsor has or will be permitted to have any prohibited interest which would prevent him or her from signing the required Conflict of Interest and Disclosure Certification.

3. That the fund reservation will be subject to cancellation by HUD if the officers or directors of either the Sponsor or the Owner fail to submit Conflict of Interest and Disclosure Certifications duly executed by each and all of their respective officers and directors.

4. That no HUD capital advance funds or project rental assistance funds will be expended on account of any contract or arrangement where a conflict of interest is determined to exist, and the Sponsor shall be responsible for the payment of any and all obligations involving its officers and directors.

5. That should any contract or arrangement entered into by the Owner be determined by HUD to involve a conflict of interest, involving either the Sponsor's or Owner's officers or directors, the Sponsor will exercise its best efforts to cause the Owner to promptly cancel or terminate such contract or arrangement at HUD's request.

Adopted and approved by the Board of Trustees of the Sponsor on the \_\_\_\_\_ date of \_\_\_\_\_, \_\_\_\_\_.

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Authorized Signature

# **SPONSOR'S RESOLUTION FOR COMMITMENT TO PROJECT**

TO: Secretary of Housing and Urban Development

SUBJECT: Section 202 Program - Application for Fund Reservation  
Section 811 Program - Application for Fund Reservation

Sponsor:

Project Location:

1. WHEREAS, under the Section 202 Program for Supportive Housing for the Elderly, the Sponsor acknowledges its responsibilities of sponsorship, long-term support, its willingness to assist the Owner to develop, own, manage and provide appropriate services in connection with the proposed project, and it reflects the will of its membership. The Sponsor is required to make a commitment to cover the estimated start-up expenses, the minimum capital investment of 1/2 of one percent of the HUD-approved capital advance, not to exceed \$25,000 (\$10,000 for sponsors not affiliated with a national sponsor) and the estimated cost of any amenities or features (and operating costs related thereto) which would not be covered by the approved capital advance.

OR

- Whereas, under the Section 811 Program of Supportive Housing for Persons with Disabilities, the Sponsor acknowledges its responsibilities of sponsorship, long-term support, its willingness to assist the Owner to develop, own, manage and provide appropriate services in connection with the proposed project, and that it reflects the will of its membership. The Sponsor is required to make a commitment to cover the estimated start-up expenses, the minimum capital investment of 1/2 of one percent of the HUD-approved capital advance, not to exceed \$10,000 and the estimated cost of any amenities or features (and operating costs related thereto) which would not be covered by the approved capital advance.
2. WHEREAS, HUD has determined that assurance by the Sponsor of its commitment and willingness to provide those funds can best be assured by requiring a resolution of the Board of Directors that funds will be made available for such purposes.
  3. NOW, THEREFORE, the Board of Directors of the Sponsor hereby resolves and agrees that funds will be available for the subject project to meet estimated start-up expenses, the

(2)

minimum capital investment and the estimated cost of any amenities or features (and operating costs related thereto) which would not be covered by the approved capital advance.

Adopted and approved by \_\_\_\_\_ of the  
Sponsor on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

---

Authorized Signature

## **EXHIBIT 7(j)**

### **Certification of Consistency with the EZ/EC Strategic Plan**

(Available under "Forms" on the same website from which this application kit was obtained)

## EXHIBIT 7(k)

# SPONSOR'S COMBINED CERTIFICATIONS

The Sponsor, to the best of its knowledge and belief, hereby assures and certifies that it will comply with the following:

**1. Certification in Connection with the Development and Operation of a Section 202 or Section 811 Supportive Housing Project:**

The requirements of the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, the affirmative fair housing marketing requirements of 24 CFR part 200, subpart M and the implementing regulations at 24 CFR part 108, and other applicable Federal, State and local laws prohibiting discrimination and promoting equal opportunity including affirmatively furthering fair housing.

**2. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u.):**

You will strongly encourage your general contractor and subcontractors to participate in local apprenticeship programs or training programs registered with or certified by the Department of Labor's Bureau of Apprenticeship and Training or recognized State Apprenticeship Agency.

**3. Design and Cost Standards:**

HUD's design and cost standards (24 CFR 891.120 and 891.210 if 202 or 891.310 if 811), the Uniform Federal Accessibility Standards (24 CFR 40.7), Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 CFR part 8, and for covered multifamily dwellings designed and constructed for first occupancy after March 13, 1991, the design and construction requirements of the Fair Housing Act and HUD's implementing regulations at 24 CFR part 100, and the Americans with Disabilities Act of 1990.

**4. Acquisition and Relocation:**

The acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR part 24, and 24 CFR part 891.155(e)).

**5. Formation of Owner Corporation:**

You will form an Owner (24 CFR part 891.305) after issuance of the capital advance, will cause the Owner to file a request for determination of eligibility and a request for capital advance, and will provide sufficient resources to the Owner to insure the development and long-

term operation of the project, including capitalizing the Owner at firm commitment processing in an amount sufficient to meet its obligations in connection with the project.

**6. Supportive Services:**

You will not require residents to accept any supportive services as a condition of occupancy.

**7. Davis-Bacon:**

The Davis-Bacon Requirements and the Contract Work Hours and Safety Standards Act.

**8. Flood Disaster Protection Act of 1973:**

The requirements under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128) and the Coastal Barrier Resources Act (16 U.S.C. 3601).

**9. National Environmental Policy Act:**

The National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321) and applicable related environmental authorities at 24 CFR Part 50.4 and HUD's implementing regulations at 24 CFR Part 50.

**10. Truth and Accuracy:**

The information provided to HUD in your application under the Section 202 Supportive Housing for the Elderly or Section 811 Supportive Housing for Persons with Disabilities is true and accurate, to the best of your knowledge.

\_\_\_\_\_  
Signature of Authorized  
Certifying Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant Organization

\_\_\_\_\_  
Date

**WARNING**

HUD will prosecute false claims and statements. Convictions may result in criminal and/or civil penalties (18 U.S.C. 1001,1010,1012; 31 U.S.C. 3729 /FS3802).

## **CERTIFICATION FOR PROVISION OF SUPPORTIVE SERVICES (Section 811 Only)**

The undersigned certifies that this Agency has reviewed the Sponsor's supportive services plan and finds that:

1. The provision of supportive services is:

☐ Well designed ☐ Not well designed

to serve the individual needs of persons with disabilities  
the housing is expected to serve.

2. The provision of supportive services will enhance  
independent living success and promote the dignity of those  
who will access the proposed project.

☐ Will enhance ☐ Will not enhance

3. The supportive services will be available on a consistent,  
long-term basis.

☐ Yes ☐ No

4. The proposed housing is:

☐ Consistent ☐ Inconsistent

with State or local plans and policies addressing the  
housing needs of people with disabilities.

---

**Sponsor**

---

**Project Location**

---

**(Print Name of Authorized Official)**

---

**(Signature)/(Date)**

---

**(Title)**

---

(Agency Name)

**EXHIBIT 7(m)**

**CERTIFICATION OF COMPLIANCE WITH THE  
REQUIREMENTS OF LEAD-BASED PAINT  
POISONING PREVENTION ACT (Section 811  
Only)**

The Sponsor certifies that it will comply with the  
requirements of the Lead-Based Paint Poisoning Prevention Act (42  
U.S.C. 4821-4846) and implementing regulations at 24 CFR Part 35.

\_\_\_\_\_  
Signature of Authorized  
Certifying Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant Organization

\_\_\_\_\_  
Date



# **CERTIFICATION FOR SINGLE ROOM OCCUPANCY IN SECTION 811 GROUP HOMES**

The Sponsor certifies that, if it is developing a group home, all bedrooms will be occupied by one person with a disability unless that person chooses to share his/her bedroom with another person with a disability or determines that he/she needs another person to share his/her bedroom.

---

Signature of Authorized  
Certifying Official

---

Title

---

Applicant Organization

---

Date

## **APPENDIX A**

### **LOCAL HUD OFFICES**

#### **NOTES:**

- (1) The first line of the mailing address for all offices is Department of Housing and Urban Development. Telephone numbers listed are not toll-free.
- (2) Applications for projects proposed to be located within the jurisdiction of the Seattle, Washington and the Anchorage, Alaska Offices must be submitted to the Portland, Oregon Office.
- (3) Applications for projects proposed to be located within the jurisdiction of the Sacramento, California Office must be submitted to the San Francisco, California Office.
- (4) Applications for projects proposed to be located within the jurisdiction of the Cincinnati, Ohio Office must be submitted to the Columbus, Ohio Office.
- (5) Applications proposed to be located within the jurisdiction of the Washington, DC Office must be submitted to the Baltimore, Maryland Office.

#### **HUD - BOSTON HUB**

##### **HARTFORD OFFICE**

One Corporate Center  
19th Floor  
Hartford, CT 06103-3220  
(860) 240-4800  
TTY Number: (860) 240-4665

##### **BOSTON OFFICE**

Room 301  
Thomas P. O'Neill, Jr.  
Federal Building  
10 Causeway Street  
Boston, MA 02222-1092  
(617) 994-8500  
TTY Number: (617) 565-5453

##### **MANCHESTER OFFICE**

Norris Cotton Federal Building  
275 Chestnut Street  
Manchester, NH 03101-2487  
(603) 666-7681  
TTY Number: (603) 666-7518

**PROVIDENCE OFFICE**

Sixth Floor  
10 Weybosset Street  
Providence, RI 02903-2808  
(401) 528-5230  
TTY Number: (401) 528-5403

**HUD - NEW YORK HUB****NEW YORK OFFICE**

26 Federal Plaza  
New York, NY 10278-0068  
(212) 264-8000  
TTY Number: (212) 264-0927

**HUD - BUFFALO HUB****BUFFALO OFFICE**

Fifth Floor  
Lafayette Court  
465 Main Street  
Buffalo, NY 14203-1780  
(716) 551-5755  
TTY Number: (716) 551-5787

**HUD - PHILADELPHIA HUB****PHILADELPHIA OFFICE**

The Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3380  
(215) 656-0600  
TTY Number: (215) 656-3452

**CHARLESTON OFFICE**

Suite 708  
405 Capitol Street  
Charleston, WV 25301-1795  
(304) 347-7000  
TTY Number: (304) 347-5332

**NEWARK OFFICE**

Thirteenth Floor  
One Newark Center  
Newark, NJ 07102-5260  
(973) 622-7900  
TTY Number: (973) 645-3298

**PITTSBURGH OFFICE**

339 Sixth Avenue  
Sixth Floor  
Pittsburgh, PA 15222-2515  
(412) 644-6428  
TTY Number: (412) 644-5747

**HUD - BALTIMORE HUB****BALTIMORE OFFICE**

Fifth Floor  
City Crescent Building  
10 South Howard Street  
Baltimore, MD 21201-2505  
(410) 962-2520  
TTY Number: (410) 962-0106

**RICHMOND OFFICE**

The 3600 Centre  
3600 West Broad Street  
Richmond, VA 23230-4920  
(804) 278-4500  
TTY Number: (804) 278-4501

**HUD - GREENSBORO HUB****GREENSBORO OFFICE**

Koger Building  
2306 West Meadowview Road  
Greensboro, NC 27407-3707  
(336) 547-4000  
TTY Number: (336) 547-4055

**COLUMBIA OFFICE**

Strom Thurmond Federal Building  
1835-45 Assembly Street  
Columbia, SC 29201-2480  
(803) 765-5592  
TTY Number: (803) 253-3071

**HUD - ATLANTA HUB****ATLANTA OFFICE**

40 Marietta Street  
Five Points Plaza  
Atlanta, GA 30303-2806  
(404) 331-5001  
TTY Number: (404) 730-2654

**SAN JUAN OFFICE**

Edificio Administracion de Terrenos  
171 Carlos Chardon Avenue  
Suite 301  
San Juan, PR 00918-0903  
(787) 766-5400  
TTY Number: (787) 766-5609

**LOUISVILLE OFFICE**

601 West Broadway  
P.O. Box 1044  
Louisville, KY 40201-1044  
(502) 582-5251  
TTY Number: 1-800-648-6056

**KNOXVILLE OFFICE**

Third Floor  
John J. Duncan Federal Building  
710 Locust Street  
Knoxville, TN 37902-2526  
(423) 545-4384  
TTY Number: (423) 545-4559

**NASHVILLE OFFICE**

Suite 200  
235 Cumberland Bend Drive  
Nashville, TN 37228-1803  
(615) 736-5213  
TTY Number: (615) 736-2886

**HUD - JACKSONVILLE HUB****JACKSONVILLE OFFICE**

Suite 2200  
Southern Bell Tower  
301 West Bay Street  
Jacksonville, FL 32202-5121  
(904) 232-2626  
TTY Number: (904) 232-2631

**BIRMINGHAM OFFICE**

Medical Forum Building  
950 22<sup>nd</sup> Street, North  
Suite 900  
Birmingham, AL 35203-5301  
(205) 731-2630  
TTY Number: (205) 731-2624

**JACKSON OFFICE**

Suite 910  
Doctor A.H. McCoy Federal Building  
100 West Capitol Street  
Jackson, MS 39269-1096  
(601) 965-4700  
TTY Number: (601) 965-4171

**HUD - CHICAGO HUB****CHICAGO OFFICE**

Ralph H. Metcalfe Federal Building  
77 West Jackson Boulevard  
Chicago, IL 60604-3507  
(312) 353-5680  
TTY Number: (312) 353-5944

**INDIANAPOLIS OFFICE**

151 North Delaware Street  
Indianapolis, IN 46204-2526  
(317) 226-6303  
TTY Number: (317) 226-7081

**HUD - DETROIT****DETROIT OFFICE**

Patrick V. McNamara Federal Building  
477 Michigan Avenue  
Detroit, MI 48226-2592  
(313) 226-7900  
TTY Number: (313) 226-6899

**GRAND RAPIDS OFFICE**

Trade Center Building  
50 Louis Street, NW  
Third Floor  
Grand Rapids, MI 49503-2648  
(616) 456-2100  
TTY Number: (616) 456-2159

**HUD - COLUMBUS HUB****COLUMBUS OFFICE**

200 North High Street  
7<sup>th</sup> Floor  
Columbus, OH 43215-2499  
(614) 469-2540  
TTY Number: (614) 469-6694

**CLEVELAND OFFICE**

Renaissance Building  
1350 Euclid Avenue  
Suite 500  
Cleveland, OH 44115-1815  
(216) 522-4058  
TTY Number: (216) 522-2261

**HUD - MINNEAPOLIS HUB****MINNEAPOLIS OFFICE**

220 Second Street, South  
Minneapolis, MN 55401-2195  
(612) 370-3000  
TTY Number: (612) 370-3186

**MILWAUKEE OFFICE**

Suite 1380  
Henry S. Reuss Federal Plaza  
310 West Wisconsin Avenue  
Milwaukee, WI 53203-2289  
(414) 297-3214  
TTY Number: (414) 297-1423

**HUD - FT. WORTH HUB****LITTLE ROCK OFFICE**

Suite 900  
TCBY Tower  
425 West Capitol Avenue  
Little Rock, AR 72201-3488  
(501) 324-5931  
TTY Number: (501) 324-5931

**NEW ORLEANS OFFICE**

Ninth Floor  
Hale Boggs Federal Building  
501 Magazine Street  
New Orleans, LA 70130-3099  
(504) 589-7200  
TTY Number: (504) 589-7279

**FT. WORTH OFFICE**

801 Cherry Street  
P.O. Box 2095  
Fort Worth, TX 76113-2905  
(817) 978-5965  
TTY Number: (817) 978-5595

**HOUSTON OFFICE**

Suite 200  
Norfolk Tower  
2211 Norfolk  
Houston, TX 77098-4096  
(713) 313-2274  
TTY Number: (713) 834-3274

**SAN ANTONIO OFFICE**

Washington Square  
800 Dolorosa Street  
San Antonio, TX 78207-4563  
(210) 472-6800  
TTY Number: (210) 472-6885

**HUD - GREAT PLAINS****DES MOINES OFFICE**

Room 239  
Federal Building  
210 Walnut Street  
Des Moines, IA 50309-2155  
(515) 284-4512  
TTY Number: (515) 284-4728

**KANSAS CITY OFFICE**

Room 200  
Gateway Tower II  
400 State Avenue  
Kansas City, KS 66101-2406  
(913) 551-5462  
TTY Number: (913) 551-6972

**OMAHA OFFICE**

Executive Tower Centre  
10909 Mill Valley Road  
Omaha, NE 68154-3955  
(402) 492-3100  
TTY Number: (402) 492-3183

**SAINT LOUIS OFFICE**

Third Floor  
Robert A. Young Federal Building  
1222 Spruce Street  
St. Louis, MO 63103-2836  
(314) 539-6583  
TTY Number: (314) 539-6331



**OKLAHOMA CITY OFFICE**

500 West Main Street  
Suite 400  
Oklahoma City, OK 73102-2233  
(405) 553-7401  
TTY Number: 1-800-877-8339

**HUD - DENVER HUB****DENVER OFFICE**

633 17th Street  
Denver, CO 80202-3607  
(303) 672-5440  
TTY Number: (303) 672-5248

**HUD - SAN FRANCISCO HUB****PHOENIX OFFICE**

Suite 1600  
Two Arizona Center  
400 North 5th Street  
Phoenix, AZ 85004-2361  
(602) 379-4434  
TTY Number: (602) 379-4464

**SAN FRANCISCO OFFICE**

Philip Burton Federal Building  
and U.S. Courthouse  
450 Golden Gate Avenue  
P.O. Box 36003  
San Francisco, CA 94102-3448  
(415) 436-6550  
TTY Number: (415) 436-6594

**HONOLULU OFFICE**

Suite 500  
7 Waterfront Plaza  
500 Ala Moana Boulevard  
Honolulu, HI 96813-4918  
(808) 522-8185  
TTY Number: (808) 522-8193

**HUD - LOS ANGELES HUB****LOS ANGELES OFFICE**

611 West 6th Street  
Suite 800  
Los Angeles, CA 90017-3106  
(213) 894-8000  
TTY Number: (213) 894-8133

**HUD - SEATTLE HUB**

**PORTLAND OFFICE**

400 Southwest Sixth Avenue  
Suite 700  
Portland, OR 97204-1632  
(503) 326-2561  
TTY Number: (503) 326-3656

**U.S. Department of Housing and Urban Development**  
Washington, DC 20410

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**February 2001**  
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